

M E E T I N G M I N U T E S

TOWNSHIP OF OCEAN COUNTY OF OCEAN REGULAR BUSINESS MEETING March 12, 2009

FLAG SALUTE

ROLL CALL: REILLY X KRAFT X

STATEMENT: Pursuant to the provisions of the New Jersey Open Public Meetings Act, adequate notice of this meeting was properly provided by sending copies of the Notice of Meeting to two newspapers, The Atlantic City Press and the Asbury Park Press. The Notice was posted at the office of the Township Clerk and on the bulletin board in the Administration Building.

MEETING MINUTES:

Approval of the Meeting Minutes for the Workshop and Regular Business Meeting of February 26, 2009
A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

RESOLUTION NO. 2009-123: Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$54,811.18

A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

Ordinance

Ordinance 2009-2 First Reading – Title Only

Bond Ordinance authorizing the issuance of up to one million seven hundred twenty thousand dollars (\$1,720,000.00), aggregate principal amount, general obligation bonds or notes of the Township of Ocean, County of Ocean, New Jersey for the construction of certain clean water and drinking water projects within the Township of Ocean, Ocean County, New Jersey

Ordinance No. 2009-2 was read title only and adopted on a motion of approval moved by Deputy Mayor Reilly, seconded by Mayor Kraft. Roll Call: Reilly: Yes, Kraft: Yes.

CONSENT AGENDA

The below listed items are considered to be routine by the Township Committee of the Township of Ocean and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the consent agenda and will be considered separately.

RESOLUTIONS

- 2009-124 Resolution authorizing an increase in the Court change fund.**
- 2009-125 Resolution appointing Lorraine Clune as the Municipal Housing Liaison for the administration of the affordable housing program**
- 2009-126 Resolution with respect to an increase to the Sewer Utility 2009 temporary Operating Budget in the amount of \$360,400.00**
- 2009-127 Resolution with respect to an increase to the Water Utility 2009 Temporary Operating Budget in the amount of \$168,885.00**
- 2009-128 Resolution authorizing the preliminary cost of providing water transmission lines along Morey Place Road not to exceed a total of \$95,000.00**
- 2009-129 Resolution of the Township of Ocean, County of Ocean, State of New Jersey authorizing the making of an application to the Local Finance Board**
- 2009-130 Resolution authorizing the Treasurer to transfer funds by check to the building department in the amount of \$151.00 from the utility account as it was deposited in error regarding Block 150, Lot 2.**
- 2009-131 Resolution authorizing the Governing body of the Township of Ocean, County of Ocean, State of New Jersey that the temporary capital budget be adopted estimated total cost of \$1,720,000.00 for the clean water and drinking projects**
- 2009-132 Resolution authorizing appropriation transfers in the amount of \$81,000.00**
- 2009-133 Resolution authorizing the purchase of Dell Server with rack under the state contract #70256 in an amount not to exceed \$3, 750.00**
- 2009-134 Resolution authorizing disposal of certain surplus property, which is no longer, needed for public use to be sold through GovDeals auction site pursuant to the state contract. Items to be sold bicycles, quads, motorcycles, scooters, paper shredder, sink**
- 2009-135 Resolution authorizing an increase to the Temporary Operating Budget in the amount of \$698,000.00**
- 2009-136 Resolution authorizing appraisal by Henry J. Mancini & Associates for Block 39, Lot 9 in amount not to exceed \$5,000**
- 2009-137 Resolution authorizing appraisal by Richard E. Hall for Block 39, Lot 9 in amount not to exceed \$6,000**

MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2009-124 through Resolution 2009-137

A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.
Roll Call: Reilly: Yes, Kraft: Yes

RESOLUTION 2009- 138 authorizing the Township Committee to retire into Closed Session for the purpose of discussing personnel, public safety, contractual, real estate and litigation - PURPOSE: Township Attorney McGuckin stated he has two contractual items for discussion.

A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

Motion of Approval for use of the Community Center:

1. Jodi Cartagena, April 18, 2009
2. Heather Aivaliotis, March 21, 2009
3. Troop 96, March 5, 2009
4. Jessica Avellino, April 14, 2009

A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

Motion of Approval for canvassers and/or solicitors permit (ice cream truck) Nicole Wildes-Silkowitz

A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

PUBLIC COMMENT:

Motion to open to the public was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

Joe Lachowiec, 26 Grand Bay Harbor, inquired where Block 39 is, with regard to Resolutions 136 & 137.

Township Administrator Mosca stated it is the cell tower property near the Parkway.

John Petrosilli, 11 Vessel Road, inquired what happens to the silt when the dredge is dewatered.

Mayor Kraft stated the town will find suitable sites to use the silt once it is tested. It will not be used on the island. It will be taken off and used somewhere else in the municipality.

Mr. Petrosilli inquired if the entire lake will be dredged or just the swimming side. Will the other side of the lake be for swimming as well?

Mayor Kraft stated the beach will stay where it is.

Mr. Petrosilli stated Mr. Mosca reported that the developer is paying for the water line project on Morey Place Road. Is that going to be a cluster development or single family?

Mayor Kraft stated it is single family. It will be a four or six lot subdivision. It is not a large development.

Mr. Petrosilli inquired if the Utilities Department will maintain the piping project.

Mayor Kraft stated that is correct.

Mr. Petrosilli stated that will be a burden on the Utilities Department.

Township Administrator Mosca stated the vacuum truck will be delivered April 21, 2009. The truck will be out multiple days a week, cleaning out stormwater drains and piping. The Utilities Department will become a lot more efficient and will give the town the opportunity to maintain the piping.

Mr. Petrosilli stated the Road Department did clean up the end of Vessel Road. It looks very good now. They did a nice job.

Michelle Rosen stated the server, mentioned in Resolution 133, is a very complicated piece of machinery. The town will have to hire an IT person. Does the town have a server now?

Township Administrator Mosca stated the town has a contract with Edmunds, who handles the present server and computer needs.

Ms. Rosen inquired if it will be maintained for the same cost the town is paying now.

Township Administrator Mosca stated that is exactly right. It will cost a little bit of money to install it. This Resolution is just for the equipment.

Ms. Rosen inquired if the Township Committee is going to hold Budget Work Sessions prior to the introduction of the budget and is the town going to advertise the Work Sessions so the public can hear any discussion about those budgets.

Mayor Kraft stated the town will hold a Workshop Meeting 6:30pm on the 26th. It will be advertised.

Ralph Avellino, 10 Central Avenue, commended the town's snow removal. The Road Department did a great job in getting the roads clear. They were out early, which helped.

Mayor Kraft stated since the Utilities and Road Department merger, the clean up went very well. They did a good job.

Mr. Avellino stated Founder's Day is approaching. It has become increasingly hard to raise funds for the event. Mr. Avellino invited the public to purchase Founder's Day "Night of Cash" fundraising tickets. The "Night of Cash" event is May 17, 2009 at 2:00pm at the Lighthouse Tavern. The cost is \$100 for a cash raffle. There are 100 tickets for sale. It gives the purchaser a chance to win a lot of money and enjoy a nice buffet. If the town is going to continue to have a Founder's Day, the ticket sales need to increase.

Mr. Lachowiec stated he read in the newspaper the County has pledged \$1,000 to the Founder's Day event.

Joan & Wayne Adelung, 41 Capstan Road, stated the bulkhead at the end of Capstan was replaced with one that is four feet above the land. The property of 15,000 square feet is to be built entirely to a height of four feet. This could create a flooding problem in an area that already is flooded. The front and sides of the property will have a block wall four feet high. On the right side, by the Adelung property, it will have a four-foot high vinyl, bulkhead-sheeting fence, from the lagoon to the street, approximately 100 feet. The owner's side will be filled with four feet of dirt. The Adelung side will only have the sheeting to look at, which will block the view of the water. The DEP representative stated she has never seen anything like this in the 20 years she has been with the DEP and that the township gives permits and could have questioned this. The town had these plans since October 2007. Mrs. Adelung hopes the township will do all it can to correct this situation.

Mayor Kraft stated he's been out to the property. It is a travesty and does not know how it passed. Mayor Kraft has seen the permit allowing the developer to fill the property. When the town wants to do a beautification project, they won't allow it. When someone wants to stick a backhoe into the lagoon and use the dirt as backfill, they allow it. To protect everyone in the future, the town has commissioned the Planning Board to make a recommendation to the Township Committee to change the bulkhead ordinance, which says "in kind inline", which means "replace with what is there". Mayor Kraft stated he does not know how the Construction Official related that to mean four foot higher. A stop work order has been issued. There are issues with the height and purpose of the walls.

Mrs. Adelung stated other bulkhead jobs in town were told to go only six inches above existing.

Mrs. Adelung spoke with a neighbor and stated anything the town could do would be appreciated. According to the DEP representative, there are a lot misconceptions. Seven feet above mean hightide makes people think they have to raise their property.

Mayor Kraft stated it has to do with FEMA. People are storing under their homes and putting in claims to FEMA for damage to items under the house. They are not supposed to do that. The town is not going to allow new homes to push all the water to existing homes.

Township Administrator Mosca stated the DEP permitted it. The township stopped it.

Mayor Kraft stated in the culpability it says "Dredging to be obtained. Backfill material is prohibited". Dredging material was not prohibited for backfilling. They are using the dredging material for backfill. The DEP needs to get their house in order.

August Stavasano, owns the property across from the property being discussed. Mr. Stavasano went to the construction office and was told if he has the money, he should do the same thing.

Mayor Kraft stated that is not a good answer. He inquired who made that comment.

Mr. Stavasano stated a gentleman with glasses in the construction office. Mr. Stavasano stated he put \$80,000 in the house from the last Northeastern flooding.

Mayor Kraft stated the town has requested quotes to replace the bulkhead and piping and put a flap on the pipe at the end. This is still an ongoing investigation and the town will assist in any way it can.

Motion to close to the public was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

RECESS

Motion to take a two-minute recess and move into Executive Session was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

OPEN MEETING

Motion to open meeting was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

Township Attorney McGuckin stated based on the discussion in the Executive Session, Mr. McGuckin requests the Committee to consider the adoption of:

Resolution 2009-139 Authorizing the execution of the amendment to the Edgemont Redeveloper Agreement subject to minor changes between the Township Attorney, Township Administrator and Lennar and the general terms and conditions of the agreement the Township Committee has already received and reviewed.

A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

ADJOURNMENT

Motion to adjourn meeting was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

Signed and Submitted:

Diane B. Ambrosio, RMC
Township Clerk

Date